

UNITED STATES DISTRICT COURT

for the

District of North Dakota



____ 8TH ____ Division

ANNE MICHELLE SPIEGELBERG
FARGO COMMUNITY SWEAT LODGE

Case No.

3:20-CV-161

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

LENORE KING - NATIVE AMERICAN COMMISSION
NATALIE CRUTCHFIELD - DIRECTOR OF
PLANNING
TIM MAHONEY - CITY OF FARGO

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	ANNE SPIEGELBERG - FARGO COMMUNITY SWEAT LODGE
Street Address	215 8TH AVENUE SE
City and County	GRANT COUNTY, MINNESOTA
State and Zip Code	ELBOW L AKE 56531
Telephone Number	320-304-9745
E-mail Address	ANNE416SPIEGELBERG@OUTLOOK.COM

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	LENORE KING - OFFICIAL CAPACITY
Job or Title <i>(if known)</i>	CHAIRPERSON OF NATIVE AMERICAN COMMISSION
Street Address	225 4TH STREET NORTH
City and County	FARGO, CASS COUNTY
State and Zip Code	NORTH DAKOTA 58102
Telephone Number	701-241-1310
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	NICOLE CRUTCHFIELD - OFFICIAL CAPACITY
Job or Title <i>(if known)</i>	DIRECTOR OF PLANNING
Street Address	225 4TH STREET NORTH
City and County	FARGO, CASS COUNTY
State and Zip Code	NORTH DAKOTA 58102
Telephone Number	701-241-1310
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	TIM MAHONEY - OFFICIAL CAPACITY
Job or Title <i>(if known)</i>	MAYOR OF CITY OF FARGO
Street Address	225 4TH STREET NORTH
City and County	FARGO, CASS COUNTY
State and Zip Code	NORTH DAKOTA 58102
Telephone Number	701-241-1310
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Act of 1978 (AIRFA) (42 U.S.C. § 1996.)

American Indian Religious Freedom Act (AIRFA)

FIRST AMENDMENT OF CONSTITUTION - FREEDOM OF RELIGION - FREE ESTABLISHMENT AND EXERCISE

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under
the laws of the State of (name) _____, and has its
principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?
CITY OF FARGO, STATE OF NORTH DAKOTA

B. What date and approximate time did the events giving rise to your claim(s) occur?
AUGUST 18, 2020

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
CITY OF FARGO, PLANNING COMMISSION AND NATIVE AMERICAN COMMISSION CLOSED THE SWEAT LODGE STATING THINGS ARE NOT RUN PROPERLY, SAFELY AND WANT TO MAKE NEW RULES AND TELL US HOW TO PRAY.

THEY HAVE MADE ACCUSATIONS WITH NO EVIDENCE. THEY HAVE HAD CLOSED DOOR MEETINGS WITHOUT ANY ONE OF US INVOLVED. WE HAVE NOT HAD DUE PROCESS.

THE CITY OF FARGO AND ITS GOVERNMENT ENTITIES VIOLATED SEPARATION OF CHURCH AND STATE BY PUTTING RESTRICTIONS AND WHAT WE CAN AND CANNOT DO. THEY ARE IN THE PROCESS OF REMOVING PRIVATE PERSONAL PROPERTY AND TEARING DOWN OUR PLACE OF WORSHIP WITH NO EVIDENCE OF ANY WRONG DOING.

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

SLANDEROUS ACCUSATIONS WITH NO BIAS
ACCUSATIONS THAT DAMAGE REPUTATION
SPIRITUAL DAMAGE AS UNABLE TO PRAY

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I AM RESPECTIVELY ASKING THE COURT TO AWARD AN EX PARTE INJUNCTION TO PROTECT THE FARGO SWEAT LODGE FROM BEING TORN DOWN AND THE CONVERSION OF PERSONAL PROPERTY DUE TO THE VIOLATIONS OF HUMAN RIGHTS IN ORDER TO HAVE DUE PROCESS I AM ASKING THE COURT TO GRANT THE INJUNCTION IMMEDIATELY

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 08/26/2020

Signature of Plaintiff

Printed Name of Plaintiff

ANNE MICHELLE SPIEGELBERG

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Anne Spiegelberg
225 8th Ave SE
ELBOW LAKE MN 56531